

BILL NO. S-91-03-23

SPECIAL ORDINANCE NO. S-80-91

AN ORDINANCE approving the awarding of Reference #999 by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and EAGLEBROOK, INC. for the Three Rivers Filtration Plant.

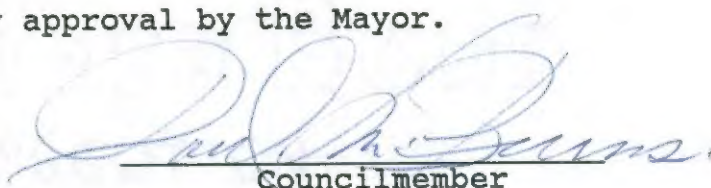
NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA;

SECTION 1. That Reference #999 between the City of Fort Wayne, by and through its Department of Purchasing and EAGLEBROOK, INC. for the Three Rivers Filtration Plant, respectfully for:


the purchase of ferric sulfate for 1991 for the Three Rivers Filtration Plant;

involving a total cost of One Hundred Five Thousand Six Hundred Seventy-Eight and no/100+/- Dollars (\$105,678.00+/-), all as more particularly set forth in said Reference #999 which is on file in the Office of the Department of Purchasing, and is by reference incorporated herein, made a part hereof, and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.


Councilmember

APPROVED AS TO FORM
AND LEGALITY


J. Timothy McCaulay, City Attorney

REF. NO.: 999
DEPT.: FILTRATION PLANT
DATE: 3/6/91
ITEM/SERV.: FERRIC SULFATE

PURCHASING INFORMATION

ADVERTISED BID: YES
DATES ADVERTISED: 1/22/91 & 1/29/91
OPENING DATE: 2/14/91
WRITTEN QUOTE:
DUE DATE:
VERBAL QUOTE:
SINGLE SOURCE:

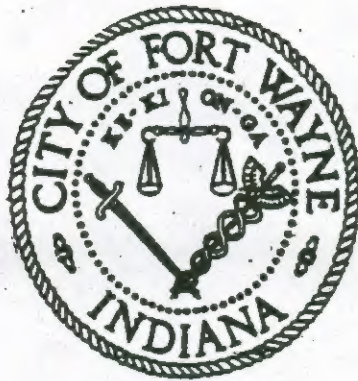
NO. OF VENDORS NOTIFIED: 10
NO. OF VENDORS RECEIVING BID: 3
NO. OF VENDORS RETURNING BID: 3
NO. OF VENDORS DISQUALIFIED: 0
NO. OF VENDORS NOT RESPONDING: 7
DATE SENT TO DEPT FOR RECOMM.: 2/14/91
DATE RECOMMENDATION REC'D IN PURCH: 2/26/91

COUNCIL INFORMATION
DATE INFO SENT TO LAW DEPT.: 3/6/91
INTRODUCTION DATE: 3/12/91
DISCUSSION DATE: 3/19/91
PASSAGE DATE: 3/26/91
ORDINANCE NO.:

REFERENCE NO. 999
LIQUID FERRIC SULFATE
2/18/91

DESCRIPTION	QTY UNIT	ULRICH CHEMICAL	EAGLEBROOK INC	BOLIDEN INTERTRADE
1-5M GAL TANK	1 PMT	NO BID	\$6,500.00	NO BID
4-DIAPHRAGM PUMPS	1 PMT		\$6,624.00	NO BID
FERRIC SULFATE	1 PMT		\$92,554.000	\$123,782.54
GRAND TOTAL			\$105,678.00	\$123,782.54

#999



FEB 04 1991

CITY OF FORT WAYNE
INDIANA

INVITATION
TO
BID

Thank you for your inquiry, however Ulrich Chemical does not wish to quote at this time....

Ulrich Chemical INC.

Stephen Koressel
Stephen Koressel, Dist. Sls. Mgr. /kj 2/11/91

PHILLIP BRENT MYERS - PURCHASING DIRECTOR - 219-427-1101

DOTTIE HANNEMAN - ASST. PURCHASING DIRECTOR - 219-427-1101

FRONT PAGE/INVITATION TO BID
DEPARTMENT OF PURCHASING
CITY OF FORT WAYNE, ALLEN COUNTY, INDIANA
ONE MAIN STREET - ROOM 350
PHONE 219-427-1101

BID OPENING DATE 2-14-91 @ 11:00 AM BID REFERENCE # 999

SEALED BIDS SHOULD BE DELIVERED TO DEPARTMENT OF PURCHASING, ROOM 350, CITY-COUNTY BUILDING UP TO 11:00 A.M. ON OR BEFORE OPENING DATE.

SEALED BIDS WILL BE OPENED PUBLICLY AT 11:01 A.M. IN THE BOARD OF WORKS & SAFETY CONFERENCE ROOM ON THE THIRD FLOOR OF THE CITY-COUNTY BUILDING. "NO LATE BIDS WILL BE ACCEPTED AFTER 11:00 A.M. FOR ANY REASON WHATSOEVER."

THIS INVITATION FOR BID IS FOR LIQUID FERRIC SULFATE PER
SPECIFICATIONS

AND REQUESTED BY THREE RIVERS FILTRATION PLANT

THIS BID REQUIRES A XXXX 5% BID BOND, CERTIFIED OR CASHIER'S CHECK OF ALL BIDDERS.

THIS BID REQUIRES A _____ 100% PERFORMANCE BOND OF SUCCESSFUL BIDDER(S).

PROMPT PAYMENT DISCOUNTS WILL BE ALLOWED AS FOLLOWS: _____% IF PAID WITHIN _____ DAYS.

THIS INVITATION IS ISSUED TO ESTABLISH A CONTRACT TO SUPPLY THE CITY OF FORT WAYNE WITH A COMMODITY OR SERVICE IN ACCORDANCE WITH ACCOMPANYING SPECIFICATIONS.

THE EXECUTION HEREOF BY THE BIDDER IS ACCEPTANCE OF ALL TERMS AND CONDITIONS HEREIN AND IN THAT REGARD THE BIDDER AGREES TO BE BOUND BY SAME AND BE BOUND TO THE AMOUNT OF HIS/HER BID FOR A PERIOD OF NINETY (90) DAYS.

FIRM NAME Eaglebrook, Inc.

STREET ADDRESS 1150 Junction Avenue

CITY Schererville PHONE # 800/428-3311

BY R. D. T.
REPRESENTATIVE SIGNATURE

BID TAB SHEET

Initial Start-up Costs

Item/Total

1-5,000 gal. vertical bulk storage tank

\$ 6500.00 / \$6500.00

4-Diaphragm Pumps

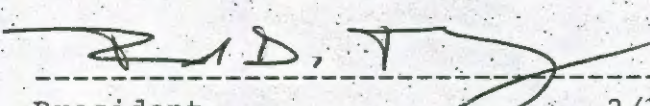
\$ 1656.00 / \$ 6624.00

140,000 Gallons Liquid Ferric Sulfate
(To be bid as cost per pound liquid weight)

\$.055 / \$92,554.00

NOTE: ALL BID COSTS MUST REFLECT AND ABIDE BY BID SPECIFICATIONS

We guarantee that any defective components discovered within a one year period following the date of equipment acceptance shall be replaced by Eaglebrook, Inc. at no cost to the city.



President

2/11/91

BID, OFFER OR PROPOSAL FOR SALE OR LEASE OF MATERIALS

(Defined at I.C. 36-1-2-9.3)
(Please type or print)

Date: 2/11/91

1. Governmental Unit: _____

2. County: Lake

3. Bidder (Firm): Eaglebrook, Inc.

Address: 1150 Junction Avenue

City/State: Schererville, IN 46375

4. Telephone Number: 800/428-3311 or 219/322-2560

5. Agent of Bidder (if applicable): ---

Pursuant to notices given, the undersigned offers bid(s) to City of Ft. Wayne (Governmental Unit) in accordance with the following attachment(s) which specify the class or item number or description, quantity, unit, unit price and total amount.

The contract will be awarded by classes or items, in accordance with specifications. Any changes or alterations in the items specified will render such bid void as to that class or item. Bidder promises that he has not offered nor received a less price than the price stated in his bid for the materials included in said bid. Bidder further agrees that he will not withdraw his bid from the office in which it is filed. A certified check or bond shall be filed with each bid if required, and liability for breach shall be enforceable upon the contract, the bond or certified check or both as the case may be.

[Signature]
Signature of Bidder or Agent

BID OFFER OR PROPOSAL

Attach separate sheet listing each item bid based on specifications published by governing body. Following is an example of the bid format:

Class or Item	Quantity	Unit	Description	Unit Price	Amount

NON-COLLUSION AFFIDAVIT

STATE OF INDIANA)
) SS:
Lake COUNTY)

The undersigned bidder or agent, being duly sworn on oath, says that he has not, nor has any other member, representative, or agent of the firm, company, corporation or partnership represented by him, entered into any combination, collusion or agreement with any person relative to the price to be bid by anyone at such letting nor to prevent any person from bidding nor to induce anyone to refrain from bidding, and that this bid is made without reference to any other bid and without any agreement, understanding or combination with any other person in reference to such bidding.

He further says that no person or persons, firms, or corporation has, have or will receive directly or indirectly, any rebate, fee, gift, commission or thing of value on account of such sale.

Eaglebrook, Inc.
Bidder (Firm)

[Signature]
Signature of Bidder or Agent

Subscribed and sworn to before me this 11th day of February, 19 91

My Commission Expires: 11/27/91

County of Residence: Lake

[Signature]
Notary Public

James A. Nielsen
Notary Public Printed Name

ACCEPTANCE

There now being sufficient unobligated appropriated funds available, the contracting authority of _____ (Governmental Unit) hereby accepts the terms of the attached bid for classes or items numbered _____ and promises to pay the undersigned bidder upon delivery the price quoted for the materials stipulated in said bid.

Contracting Authority Members: _____

Date: _____



**AMWEST SURETY
INSURANCE COMPANY**

WOODLAND HILLS, CALIFORNIA

BOND NO.: 3006030

PREMIUM: INCLD. IN BBSU

BID DATE: 2/14/91

PUBLIC WORKS BID BOND

Know all men by these presents:

That we, EAGLEBROOK, INC.

(hereinafter called Principal), as Principal, and **AMWEST SURETY INSURANCE COMPANY**, a corporation (hereinafter called Surety), organized and existing under the laws of the State of California and authorized to transact a general surety business in the State of

INDIANA, as Surety, are held and firmly bound unto CITY OF FT. WAYNE,

DEPT. OF PURCHASING

(hereinafter called Obligor) in the penal sum of FIVE percent (5 %) of the bid amount, but in no event to exceed

FIVE THOUSAND, TWO HUNDRED EIGHTY-FOUR AND NO/100**** Dollars (\$ 5,284.00****) for the payment of which the Principal and the Surety bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents. THE CONDITION OF THIS OBLIGATION IS SUCH, that, whereas the Principal has

submitted or is about to submit a proposal to the Obligor on a contract for SUPPLY OF 140,000 GALLONS OF

LIQUID FERRIC SULFATE

NOW, THEREFORE, if the contract is awarded to the Principal and the Principal has within such time as may be specified, entered into the contract in writing, and provided a bond, with surety acceptable to the Obligor for the faithful performance of the contract; or if the Principal shall fail to do so, pay to the Obligor the difference not to exceed the penalty hereof between the amount specified in the bid and such larger amount for which the Obligor may in good faith contract with another party to perform the work covered by the bid, then this obligation shall be void; otherwise to remain in full force and effect.

SIGNED, SEALED AND DATED THIS 8TH DAY OF FEBRUARY 19 91.

EAGLEBROOK, INC.

(Print or type name of Principal)

By: [Signature]

(Signature of Principal)

AMWEST SURETY INSURANCE COMPANY

By: [Signature]

Attorney-in-Fact

SHARON E. CALVIN,



LIMITED POWER OF ATTORNEY

Amwest Surety Insurance Company

BOND NUMBER

3006030

POWER NUMBER

000045073

NOT VALID AFTER
1-13-92

PRINCIPAL

EAGLEBROOK, INC.

PENAL SUM

\$5,284.00***

OBLIGEE

CITY OF FORT WAYNE, DEPT. OF PURCHASING

READ CAREFULLY — To be used only in conjunction with the bond specified herein

This document is printed on multi-colored security paper with black and red ink, with boarder in blue ink and bears the raised seal of Amwest Surety Insurance Company (the "Company"). Only unaltered originals of this Power of Attorney are valid. This Power of Attorney is valid solely in connection with the execution and delivery of the bond noted above and may not be used in conjunction with any other power of attorney. No representations or warranties regarding this Power of Attorney may be made by any person. This Power of Attorney is governed by the laws of the State of California. Any power of attorney used in connection with any bond issued by the Company must be on this form and no other form shall have force or effect.

KNOW ALL MEN BY THESE PRESENTS, that Amwest Surety Insurance Company, a California corporation (the "Company"), does hereby make, constitute and appoint:

SHARON E. CALVIN

AS AN EMPLOYEE OF AMWEST SURETY INSURANCE COMPANY

its true and lawful Attorney-in-Fact, with limited power and authority for and on behalf of the Company as surety, to execute, deliver and affix the seal of the Company thereto if a seal is required on bonds, undertakings, recognizances or other written obligations in the nature thereof as follows:

Bid Bonds up to \$**250,000.00**

Contract, Court & Subdivision Bonds up to \$**500,000.00**

License & Permit Bonds up to \$**100,000.00**

Miscellaneous Bonds up to \$***25,000.00**

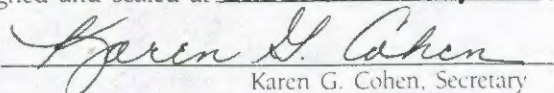
Small Business Administration Guaranteed Bonds up to \$1,250,000.00**

and to bind the Company thereby. This appointment is made under and by authority of the By-Laws of the Company, which are now in full force and effect.

CERTIFICATE

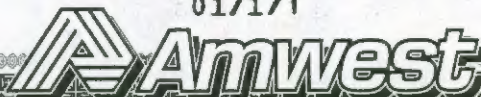
I, the undersigned secretary of Amwest Surety Insurance Company, a California corporation, DO HEREBY CERTIFY that this Power of Attorney remains in full force and effect and has not been revoked and furthermore, that the resolutions of the Board of Directors set forth on the reverse, and that the relevant provisions of the By-Laws of the Company, are now in full force and effect.

Signed and sealed at **INDIANAPOLIS, IN** this **8TH** day of **FEBRUARY** 19 **91**


Karen G. Cohen, Secretary

0000045073 - 69
01/1/T





6320 Canoga Avenue Post Office Box 4500 Woodland Hills, CA 91365-4500 TEL 818 704-1111

Read the first time in full and on motion by Burns, seconded by Long, and duly adopted, read the second time, title and referred to the Committee on City Plan (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on _____, the _____, da- of _____, 19____, at _____ o'clock _____ M., E.S.

DATED: 3-12-91

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Burns, seconded by Long, and duly adopted, placed on its passage. PASSED ~~LOST~~ by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>8</u>			<u>1</u>
BRADBURY	<u>✓</u>			
BURNS	<u>✓</u>			
EDMONDS	<u>✓</u>			
GIAQUINTA				
HENRY	<u>✓</u>			<u>✓</u>
LONG	<u>✓</u>			
REDD	<u>✓</u>			
SCHMIDT	<u>✓</u>			
TALARICO	<u>✓</u>			

DATED: 3-26-91

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING MAP) ORDINANCE RESOLUTION NO. A-80-91 on the 26th day of March, 1991.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

SEAL
Samuel J. Talarico
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of March, 1991 at the hour of 1:30 o'clock P. M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 28th day of March, 1991, at the hour of 10:20 o'clock P. M., E.S.T.

Paul Helmke
PAUL HELMKE, MAYOR

DIGEST SHEET

TITLE OF ORDINANCE: Special

DEPARTMENT REQUESTING ORDINANCE: Purchasing

SYNOPSIS OF ORDINANCE: An ordinance approving the award of Ref. No. 999 for the purchase of ferric sulfate for the Three Rivers Filtration Plant for 1991. The cost reflects the lowest and most responsive of three (3) vendors.

IF NOT LOWEST, WHO WAS AND WHY WERE THEY NOT AWARDED:

EFFECT OF PASSAGE: The prime objective in changing from dry ferri-flock to liquid ferri-flock is the reduction of cost of the product and 100% utilization of the chemical in our purification process. Not only will the product be more easily handled and stored but maintenance on the equipment will be cut by 82%, and the foreign material called "Grit" will be completely eradicated from our plant. Grit is taken to the dump and this will cease to exist. Dry ferri-flock is a respiratory hazard and this will eradicate the problem of worker safety.

51-03-23

IF REPLACEMENT, WHAT NECESSITATES: This method is more cost effective than the previous method of dry Ferri use at this facility and will greatly reduce the possibility of respiratory hazards in house, as well as ease of handling.

EFFECT OF NON-PASSAGE: Down the road replacement of dry feeding equipment used with dry Ferri, almost around the clock maintenance of feeding equipment, higher costs involved in the labor and hauling of Grit material from the use of the dry Ferri. If the current system is allowed to continue Workers Safety could be jeopardized and costs will continue to rise. Economical means of rectifying an old problem.

PRIOR APPROVAL REQUESTED:

MONIES INVOLVED: Eaglebrook Inc \$105,678.00 +/-

PRICE AGREEMENT: Yes

PURCHASE ORDER:

ACCOUNT INFORMATION: Filtration P1 513-523-W154-4257

PRIOR APPROVAL:
(IF APPLICABLE)

DATE:

BILL NO. S-91-03-23

REPORT OF THE COMMITTEE ON CITY UTILITIES

PAUL M. BURNS, CHAIRMAN
CHARLES B. REDD, VICE CHAIRMAN
EDMONDS, LONG, SCHMIDT

WE, YOUR COMMITTEE ON CITY UTILITIES TO WHOM WAS
REFERRED AN (ORDINANCE) (~~RESOLUTION~~) approving the awarding
of Reference #999 by the City of Fort Wayne, Indiana, by and
through its Department of Purchasing and EAGLEBROOK INC. for
the Three Rivers Filtration Plant

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
(ORDINANCE) (~~RESOLUTION~~)

DO PASS

DO NOT PASS

ABSTAIN

NO REC

[Signature]
[Signature]

[Signature]
[Signature]
[Signature]
[Signature]

DATED: 3-26-91

Sandra E. Kennedy
City Clerk